

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 19, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-22557 - APPLICANT: KATHI MACDONALD - OWNER: ROBERT & NETA GARSIDE

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 5, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-22560) and Rezoning (ZON-22562) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 6/12/07, except as amended by conditions herein.
4. The hours of operation for the Recreation/Amusement Facility (Indoor) are limited to 8am to 9pm.
5. A Waiver to Title 19.08.050(D)e.ii: "Building Placement and Orientation" has been approved to allow the proposed building to be sited away from the Thom Boulevard street front.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a. 24"-box sized trees are to be specified on the landscape plans.
 - b. A total of four additional 24"-box trees shall be planted in the following locations:
 1. One tree at the both the north and south ends of the building, spaced 30 feet from the nearest tree.
 2. One 24"-box tree on each side of the parking spaces located at the front of the building the available landscape planters

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. Revised site plans shall be submitted showing all mechanical equipment, air conditioners and trash areas as fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
14. A revised elevation with enhanced architectural details shall be submitted to the Department of Planning and Development for review and approval prior to City Council hearing.
15. No pool parties, competitive events or free swim shall be allowed. Private lessons only.

Public Works

16. Construct all incomplete half-street improvements on Thom Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the southern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

17. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. This site shall connect to public sewer. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer alignments to service this site.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
21. Coordinate with the City Traffic Engineer to post Thom Boulevard on both sides, no parking, from Craig south three lots.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a 3,588 square foot Commercial Recreation/Amusement Facility (Indoor) on 0.53 acres. The applicant seeks to remove the current single family dwelling and construct an indoor swim school at 4309 Thom Boulevard. An associated General Plan Amendment (GPA-22560) and Rezoning (ZON-22557) are associated with this Rezoning request.

As the Site Development Plan Review is in general compliance with the requested General Plan Amendment and Rezoning request, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
8/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three dwelling units per acre.
3/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
5/24/99	The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
8/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre
9/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developed Area as described in the Plan.
2/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre.
08/09/07	The Planning Commission recommended approval of companion items GPA-22560 and ZON-22562 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #13/mh).
<i>Related Building Permits/Business Licenses</i>	
2/07/02	Plan Check #M-0239-01: Construction of a carport

<i>Pre-Application Meeting</i>	
5/30/07	Staff discussed the requirements for developing an indoor swim school at 4309 Thom Boulevard. Staff briefed the applicant on the requirements for a General Plan Amendment from a residential to commercial land use, the necessary rezoning, and the design standards required for the proposal.

<i>Neighborhood Meeting</i>	
6/27/07	<p>Meeting held at the Centennial Academy, 6610 Grand Montecito Pkwy, at 6pm. Four citizens attended and voiced their concerns regarding the following:</p> <ol style="list-style-type: none"> 1. Site access and its impact on traffic; 2. The demolition of existing residential structure on property; 3. The decrease in value of residential property; 4. The alley should be gated; 5. And opposition to a change to a commercial land use

<i>Field Check</i>	
6/20/07	<p>The Department of Planning and Development conducted a site visit and made the following observations:</p> <ol style="list-style-type: none"> 1. The site is currently occupied with a single family dwelling and accessory structure. 2. The adjacent development to the south and west appear to be mainly rural single family homes. 3. The adjacent development to the north (animal hospital) and east (Child Care Facility parking lot) appear to be mainly low-intensity commercial.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.53 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	DR (Desert Rural)	R-E (Residence Estates)
North	Animal Hospital	SC (Service Commercial)	R-E (Residences Estates) with an ROI to C-1 (Limited Commercial)
South	Child Care facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Child Care facility	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Dwelling	DR (Desert Rural)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	NA
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment			NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 feet	104 feet	Y
Min. Setbacks			
• Front	20 feet	216 feet	Y
• Side	10 feet	11 feet	Y
• Rear	20 feet	20 feet	Y
Max. Lot Coverage	50%	16%	Y
Trash Enclosure	Screened & Enclosed	Not shown	Y*
Mech. Equipment	Screened & Enclosed	Not shown	N**

**The applicant has stated that a trash enclosure is not provided due to the low amount of trash created with the swim school use and that Republic Services will provide curbside pick-up.*

***Staff has placed a condition that revised plans shall be required showing the mechanical equipment associated with the building (HVAC) be adequately screened from public view.*

Pursuant to Title 19.12, the following standards apply:

<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	6 Trees	4 Trees	N
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	17 Trees	13 Trees	N
TOTAL		23 Trees	17 Trees	N*
Min. Zone Width	8 Feet		8 Feet	Y
Wall Height	6 Feet		6 Feet (existing)	Y

**A condition for approval has been added requiring two more 24" box trees at the north and south ends of the building and to add two more trees at the front of the building in the landscaping that flanks the handicapped parking space for a total of 6 additional 24" box trees.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Recreation/A musement Facility (Indoor)	3,588 SF	1:200 SF GFA	18	1	19	1	Y
SubTotal			18		20		
TOTAL (including handicap)			18		20		Y

Waivers		
Request	Requirement	Staff Recommendation
Building placement towards the rear of property.	Building placement shall be adjacent to the 20-foot front yard setback	Approval

ANALYSIS

- Site Plan**

The site plan shows a 3,588 square-foot, single-story building located at the rear of the property. The site complies with the C-1 (Limited Commercial) zoning district development standards for building setback and lot coverage but will require a waiver for building placement. Parking spaces for 20 cars –with one meeting CLV Handicapped Parking and ADA accessibility standards- are provided for at the front of the building. Site access is from Thom Boulevard, a 50-foot wide Local Street that is approximately 200 feet from Craig Road, a 120-foot wide Primary Arterial.

- Waivers**

The applicant states that due to the residential nature of the neighborhood to the south and providing sufficient parking for customers, the building has been located towards the rear of the site. This arrangement requires a Waiver to Title 19.08.050 as the proposed building does not abut the 20-foot front yard setback. Staff recommends approval of the requested waiver as this situation arises from the applicant's effort to accommodate the residential neighbors and the customers at the same time.

- **Landscape Plan**

The provided landscape plan shows an inadequate amount of trees on the property as per Title 19.12. A minor shortage (two trees) of parking lot tree coverage and four perimeter trees has been discovered. Staff has conditioned the addition of two 24" box trees at the north and south ends of the structure and two 24" box trees at the eastern end of the parking lot for a total of six additional trees as there has been no justifiable reason or requested Waiver to deviate from the Title 19.12 Landscape, Wall, and Buffer Requirements.

- **Elevations & Residential Adjacency Setbacks.**

The provided elevations show a relatively simple structure. The applicant has proposed to construct the building with split-faced CMU and clay-barrel tile roofing. Per the definition of "Building Height" as listen in Title 19.20, the building height is calculated by taking the average height between the eaves and the top of the gable and adding that to the elevation height. Therefore, the provided elevations will have an 18-foot height from the western and eastern elevations, while having an approximate 14-foot average finished height on the northern and southern elevations. The north elevation side is below the 15-foot maximum height prior to the application of Residential Adjacency Setbacks and as such no variance is required.

- **Floor Plan**

The floor plan of the proposed swim school consists mainly of a twenty-foot by forty-foot indoor swimming pool with a 10-foot wide deck along the north, east, and west sides, and six feet of decking along the south side. An approximate 550 square-foot viewing area separated from the pool is shown at the south end of the building. An office and two restrooms are shown with internal access while two separate equipment rooms are shown with access provided from outside of the building.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

With the approval of the associated General Plan Amendment and Rezoning, this proposed indoor aquatic center will be compatible with the adjacent development. The applicant has made good effort in developing a building that is in context with the residential nature of Thom but yet is still commercially viable.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed office use is an expected use for the SC (Service Commercial) General Plan Designation and is in context with the service commercial buildings to the east and north. Although the applicant has requested a Waiver to Title 19.08.050, staff supports the proposed design as it responds appropriately to the site.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Adequate access is provided to the site by Thom Boulevard, a 50-foot wide local street, which is 200 feet south of Craig Road, a 120-foot wide Primary Arterial.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The selected building materials are typical of a recreational facility and the proposed landscaping appears to be a lush arrangement of desert-appropriate plants.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The applicant is proposing a relatively simple single story structure. The moderate massing of the structure is reduced by placing it towards the rear of the property, and the chosen colors and materials are more in context with the residential character of the neighborhood to the south of the proposal. The applicant has requested a Waiver to Title 19.08.050 to situate the building more setback from the front in order to further minimize the commercial impact of the building while accommodating site access for the customers.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The development will be subject to reviews for building permits and business licensing prior to final occupation, and adequate measures will be taken to protect public health, safety, and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 14, 15 and 21. The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 192 by Planning Department

APPROVALS 6

PROTESTS 12